

DEPARTMENT OF HEALTH SERVICES
COUNTY OF LOS ANGELES

SUBJECT: **RELEASE OF EMERGENCY MEDICAL
SERVICES AGENCY DATA**

REFERENCE NO. 622

PURPOSE: To outline the appropriate process for obtaining Emergency Medical Services (EMS) Agency data.

AUTHORITY: Healthcare Information Portability and Accountability Act (HIPAA), Public Law 104-191
Health Information Technology for Economic and Clinical Health (HITECH) Act

DEFINITIONS:

Covered Entities: Healthcare providers, health plans, and healthcare clearing houses that electronically transmit health information.

De-identified Information: Information that does not include standard identifiers so as to ensure that remaining health information is not identifiable to an individual or incident. Some of the specific links include but are not limited to the following:

- Name
- Address (geographic subdivisions smaller than a state)
- Dates including birth date, admission date, discharge date, date of death, and all ages over 89
- Telephone and fax numbers
- E-mail addresses
- Social Security numbers
- Medical records numbers
- Health plan beneficiary numbers
- Account numbers
- Certification/license numbers
- Vehicle identifiers, including license plate numbers
- Device identifiers
- Biometric identifiers, including finger or voice prints
- Full face photographic images and any comparable images
- Any other unique identifying number, characteristic or code

Health Insurance Portability and Accountability Act (HIPAA): A federal law passed in 1996, which established a set of national standards for the electronic transmission of health information, including research subjects. Covered entities are required to comply with HIPAA regulations.

Protected Health Information (PHI): Individually identifiable health information that is held or transmitted in any form or media, whether electronic, paper or oral which can identify an individual or there is reasonable basis to believe it can be used to identify an individual.

PRINCIPLES:

1. EMS data contains patient information which is protected under HIPAA. EMS data will be released when all patient/incident standard identifiers have been de-identified.

EFFECTIVE DATE: 12-3-07

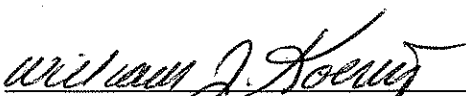
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REVISED: 11-1-13

SUPERSEDES: 12-1-10

APPROVED:


Director, EMS Agency


Medical Director, EMS Agency

2. Healthcare researchers are encouraged to utilize EMS data to study prehospital, emergency medicine, and other healthcare related questions.
3. All data released will be approved by the appropriate EMS Agency Advisory Committee(s) and/or the Director of the EMS Agency (or designee).
4. Neither provider (i.e., hospital or prehospital care provider) nor the EMS Agency shall release another entity's identifiable information to any entity for public use without first receiving written permission from the entity's Executive Officer, except as permitted by required statute, regulation, or court order.

POLICY:**I. Requests for EMS Data:****A. Information that does not disclose the identity of the provider**

1. Requesting party shall submit a written request, along with Reference No. 622.1, Data Request Form to the Director of the EMS Agency (or designee)
2. The EMS Agency will:
 - a. Review the request and inform the requesting party of the approval/disapproval decision within 4 weeks of receiving the request.
 - b. Advise the requesting party of the anticipated timeframe for completion of the data request.
 - c. Prepare the data in the format requested by the requesting party. If the data format has not been specified by the requesting party, an appropriate format will be utilized (i.e., graph, tables, etc.)
 - d. Release the data following approval of the Director of the EMS Agency (or designee).

NOTE: Augmentation to original data requests shall be considered a new data request.

B. Information that discloses the identity of the provider

1. Requesting party shall submit a written request, along with Reference No. 622.1, Data Request Form to the Director of the EMS Agency (or designee).
2. The EMS Agency will:
 - a. Notify the requesting party that it is their responsibility to obtain written permission from the involved agency's Executive Officer authorizing the EMS Agency to release agency identifiable data. Data will only be released for agency's that have provided written authorization permitting release of their data.
 - b. Provide a copy of the request to the appropriate committee(s) for comment and recommendation.

- c. Notify the requesting party of the anticipated timeframe in determining the approval/disapproval of their request (depending on committee meeting schedules, recommendations, etc.).
- d. Notify the requesting party of the approval/disapproval of their request as soon as responses are received from the involved agencies and committees.
- e. Advise the requesting party of the anticipated timeframe for completion of the request for data.
- f. Prepare the data in the format specified by the requesting party. If no particular data format has been specified by the requesting party, an appropriate format will be utilized (i.e., graph, tables, etc.).
- g. Release the data following approval of the Director of the EMS Agency (or designee).

NOTE: Augmentation to original data requests shall be considered a new data request.

II. Appeals:

- A. Disapproval of data that does not disclose the identity of the provider:

Requesting party shall submit a written request for a review of the decision to the Director of the Los Angeles County Department of Health Services.

- B. Disapproval of data that discloses the identity of the provider:

There is no appeal for data release decisions regarding data that discloses the identity of the provider.

III. Fees:

- A. The EMS Agency and/or its information technology vendor may charge the requesting party a data retrieval fee.
- B. Fees will be determined following review of the application form, taking into account the complexity of the request and the anticipated time necessary for analyzing and cleaning the data.
- C. Fees will be discussed with the requesting party prior to generating the requested data.
- D. Fees will be collected prior to release of the requested data.

CROSS REFERENCE:

Prehospital Care Manual:

Reference No. 602, **Confidentiality of Patient Information**

Reference No. 622.1, **Data Request Form**